

United States District Court for the  
Middle District of Pennsylvania

FILED  
SCRANTON

Norman G. Shelton

Plaintiff

"vs"

OCT 24 2011

No. 4:CV-11-0368

PER

(Judge Glealon).

AM.

DEPUTY CLERK

defendants.

Warden Bledsoe et.al.

Plaintiff's Statement of Disputed  
factual Issues.

Defendants have moved for Summary Judgment on the [REDACTED]. Plaintiff's claim concerning deliberate indifference to his safety and excessive use of force with regards to his cellmate attacking an assaulting him on August 30, 2009. And another assault of his cell-mate on Nov, 26, 2009. Pursuant to local rules [REDACTED] of this Court, The Plaintiff submits the following list of genuine issues of material facts that require the denial of the defendant's motion.

1.) Whether, Plaintiff injurys from his cellmate, jumped him when he was in handcuffs (and) hands were behind his back resulted from his own omission or the officials who refused to act upon the Plaintiff and gang members complaint. stating, "US" being cellie wont work out.

2.) Whether Plaintiff's injurys to his mouth, nose and eyes from being punched and the face and kicked in the body resulted from defendants resistance to abate it in anyway and the defendants purposeful use of unnecessary forces.

3.) Whether it was defendants Heath, Raup, Zieder, Galletta  
" -- -- -- member in the coll . . ."

who also attacked and assaulted plaintiff on Aug. 26, 2009,

4.) whether the named defendants herein case violated the eighth amendment rights of Plaintiff, by attacking him and assaulting him while his hands were cuffed behind his back, and L.T. Heath placed her knee in the back of Plaintiff's neck cutting off his breathing and Cawhittaker, Raup, Galletta and Potter, Punching Plaintiff in the back and sides of his body who also slammed Plaintiff to the ground face first while Plaintiff was handcuffed behind his back,

5.) Whether the force utilized by the defendants against Plaintiff was applied in good-faith effort to maintain or restore order rather than being malicious and sadistic towards Plaintiff.

6.) whether it was defendants Health, Potter, Galletta, Raup, ~~Zeller, Coffey, Combs~~, Whittaker decision to use excessive force to cause serious harm and injury to Plaintiff?

## Conclusion.

Plaintiff have suffered pain, from the injurys he received from inmates who were gang members, and after giving officials actual knowledge they still did nothing to abate the situation. And they themselves also attacked and assaulted Plaintiff, by their own omission.

Dismiss defendants' Summary judgement.

Norman E. Sheldon 4 215-969.06

J.S.P. Lewisburg

P.O.Box 1000

Lewisburg Pa. 17837

(10F2)

Inmate Name: Norman G. Sellton  
Register Number: 45069-066  
United States Penitentiary  
P.O. Box 1000  
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(BS)

10/19/11

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